

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

AMERIPRIDE

and

Case 15-CA-167488

**SOUTHERN REGION WORKERS
UNITED a/w SEIU**

ORDER¹

The Employer's petition to partially revoke subpoena duces tecum B-1-QXSAV3 is denied. The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1) of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoena.² See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).

Dated, Washington, D.C., June 8, 2016

MARK GASTON PEARCE,	CHAIRMAN
PHILIP A. MISCIMARRA,	MEMBER
KENT Y. HIROZAWA,	MEMBER

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

² In considering the petition to partially revoke, we have evaluated the subpoena as modified by the Region in its opposition brief, in which the Region indicated that the Employer has produced documents responsive to subpoena paragraphs 1-4 and 6-18 and that the Region has withdrawn those subpoena paragraphs.

Member Miscimarra would limit the documents sought in paragraph 5 to accord with the General Counsel's own description of what he seeks at p. 5 of his opposition to the revocation petition. The General Counsel stated he sought the documents to review communications "related to work or employee terms and conditions of employment" and he specified the following: "communications concerning the production bonus program, the vacation bonus and collective bargaining negotiations and proposals." Member Miscimarra would only order production of those documents specified.